

MICHAEL C. ORMSBY  
United States Attorney  
Eastern District of Washington  
Stephanie Van Marter  
Assistant United States Attorney  
Post Office Box 1494  
Spokane, WA 99210-1494  
Telephone: (509) 353-2767

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
vs. )  
)  
EDGAR OMAR HERRERA )  
FARIAS, )  
)  
Defendant. )

Case No.: 4:15-CR-6049-EFS-16

Motion for Detention Hearing

The United States moves for pretrial detention of Defendant, pursuant to 18 U.S.C. § 3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order because the case involves:

☐ Crime of violence (as defined in 18 U.S.C. § 3156(a)(4) which includes any felony under Chapter 109A, 110 and 117),

☐ Maximum penalty of life imprisonment or death,

1       ☒ Drug offense with maximum penalty of 10 years or more,

2       ☐ Felony, with two prior convictions in above categories.

3  
4       ☐ Felony that involves a minor victim or that involves the possession or  
5 use of a firearm or destructive device (as those terms are defined in § 921), or any  
6  
7 other dangerous weapon, or involves a failure to register under 18 U.S.C. § 2250,

8       ☒ Serious risk Defendant will flee, or

9  
10       ☒ Serious risk obstruction of justice.

11       2. Reason for Detention. The Court should detain Defendant because  
12  
13 there is no condition or combination of conditions which will reasonably assure:

14       ☒ Defendant's appearance as required, or

15  
16       ☒ Safety of any other person and the community.

17  
18       3. Rebuttable Presumption. The United States will invoke the rebuttable  
19 presumption against Defendant under Section 3142(e). The presumption applies  
20 because there is probable cause to believe Defendant committed:

21  
22       ☒ Drug offense with maximum penalty of 10 years or more,

23       ☐ 18 U.S.C. § 924(c) firearms offense, or

24  
25       ☐ Kidnaping, sexual crimes, or child pornography offenses.

26  
27       4. Time for Detention Hearing. The United States requests the Court  
28 conduct the detention hearing:

☐ At the first appearance, or

☐ After a continuance of three days.

5. Other Matters.

☐

Dated: December 16, 2016.

MICHAEL C. ORMSBY  
United States Attorney

*s/ Stephanie Van Marter*

Stephanie Van Marter  
Assistant United States Attorney

### **CERTIFICATE OF SERVICE**

I hereby certify that on December 16, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

*s/ Stephanie Van Marter*

Stephanie Van Marter  
Assistant United States Attorney